



EXPRESS MAIL NO. EV719378907US

**TRANSMITTAL  
FORM**(To be used for all correspondence  
after initial filing)

Application Number	10/697,957
Filing Date	October 30, 2003
First Named Inventor	Sylvie Wuidart
Art Unit	2827
Examiner Name	Viet Q. Nguyen
Attorney Docket No.	859063.552

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> )
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Declaration	<input checked="" type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ):
<input type="checkbox"/> Information Disclosure Statement and Transmittal	<input type="checkbox"/> Statement under 37 CFR 3.73(b)	Check: Form PTOL-85 +copy;
<input type="checkbox"/> Cited References	<input type="checkbox"/> Terminal Disclaimer	Fee Address Indication Form;
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	Comments on Reasons for Allowance
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> CD, Number of CD(s) _____	_____
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	_____

Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Seed Intellectual Property Law Group PLLC	Customer Number	38106
Signature			
Printed Name	Robert Iannucci		
Date	February 9, 2006	Reg. No.	33,514

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name		Date:	

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
C:\N\Portb\N\Manage\LAURAT\744801\_1.DOC



EXPRESS MAIL NO EV719378907US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Sylvie Wuidart et al.  
Application No. : 10/697,957  
Filed : October 30, 2003  
For : THREE-STATE MEMORY CELL

Examiner : Viet Q. Nguyen  
Art Unit : 2827  
Date of Notice  
of Allowance : November 9, 2005  
Docket No. : 859063.552  
Date : February 9, 2006

Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents:

In the Examiner's Reasons for Allowance with the Notice of Allowance mailed November 9, 2005, the Examiner stated that one of the reasons for allowance was the failure of the prior art to teach or suggest features that were formerly recited in claim 1, but were amended in the amendment filed on October 13, 2005. The allowed claims 1-10 and 24-54 do not include all of the features recited by the Examiner. Obviously, claims 1-10 and 24-54 were allowed because the prior art fails to teach or suggest the elements actually recited in those claims.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

Robert Iannucci  
Registration No. 33,514

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900 / Fax: (206) 682-6031  
676841\_1.DOC